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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,050	04/12/2004	Fritz Schneider	8812.01US	4089
24739 7590 12/27/2007 CENTRAL COAST PATENT AGENCY, INC 3 HANGAR WAY SUITE D WATSONVILLE, CA 95076				
EXAMINER				
PHAM, LINH K				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/823,050

Applicant(s)

SCHNEIDER, FRITZ

Examiner

LINH K. PHAM

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

1. This Office Action is in response to the application filed on April 12, 2004.
2. Claims 1-45 have been examined and are pending.

Priority

3. This application discloses and claims only subject matter disclosed in prior Application No. 10/809972, filed March 26, 2004, and name an inventor or inventors named in the prior application. Accordingly, this application may constitute a continuation or division. Should applicant desire to obtain the benefit of the filing date of the prior application, attention is directed to 35 U.S.C. 120 and 37 CFR 1.78.

Information Disclosure Statement

4. The information disclosure statement (IDS) submitted on 04/12/2004 was filed after the mailing date of the application No. 10/823050 on 04/12/2004. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Specification

5. The disclosure is objected to because of the following informalities: "*In embodiments of the invention there are several ways that functionality for display and use of linktags may e provided.*" (page 4, line 19) appears to be a typo error.

Appropriate correction is required.

6. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code; "Mozilla (www.mozilla.org)," (page 2, line 18). Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. **Claims 1, 3-11, 14-15, 16, 18-26, 29-30, 31, 33-41, and 44-45 are rejected under 35 U.S.C. 102(b)** as being anticipated by Smethers (US 20030055870).

Regarding claim 1, Smethers discloses the computer navigation system (*Abstract*), comprising:

one or more interactive links displayed on a display connected to a computer appliance (*para. 0068; Fig. 4, Book mark menu contain the links*); and

one or more visual linktags associated with individual ones of the one or more interactive links, the linktags displaying one or more numbers, characters or symbols, the system enabled to initiate an interactive link in the display upon user input of one of the numbers, characters or symbols in a linktag (*paras. 0066-0068; Figs. 4-5; a user can assign a number to associate to a link; numbers 1, 2, 3 are known as the linktags*).

Regarding claim 3, Smethers discloses the system of claim 1 wherein the user input is by selecting a key on a keyboard communicating (*para.0051; Fig. 1, keypad 108*) with the computer appliance, the key annotated with the letter, symbol or number in a linktag (*paras. 0066-0067; Fig. 4*).

Regarding claim 4, Smethers discloses the system of claim 1, wherein the visual linktags are associated with interactive links by being displayed adjacent to the associated interactive link (*Figs. 5; a display screen 504 contains each linktag is associated with interactive links*).

Regarding claim 5, Smethers discloses the system of claim 1; wherein association of linktags with links is one- to-one and unique, such that no two links have the same linktag (*paras. 0066-0067; Fig. 4 a user assign only one number is associate to only one link*).

Regarding claim 6, Smethers discloses the system in claim 1, wherein display of linktags is initiated and terminated by one or more predefined keystrokes, or by one or more voice commands, such that keyboard and voice controlled navigation may be toggled on and off (*para.0067; Fig. 4*).

Regarding claim 7, Smethers discloses the system of claim 6 wherein linktags, when toggled off, are saved and can be redisplayed without re-creation if toggled on again (*paras. 0067-0068; Figs. 4-5; a Bookmark menu will display by 0 key is pressed, held and impressed*).

Regarding claim 8, Smethers discloses the system of claim 1 wherein linktags are automatically displayed associated with interactive links in a display each time an

interactive display is loaded on the computer appliance (*Fig. 5, an inherence the linktags to be automatically displayed associated with interactive links when a user open the "Bookmark Menu*).

Regarding claim 9, Smethers discloses the system of claim 1 wherein functionality for display and use of linktags is provided through an operating system executed by the computer appliance (*paras. 0020-0021*).

Regarding claim 10, Smethers discloses the system of claim 1, wherein functionality for display and use of linktags is provided through a web browser application (*paras. 008-009; paras. 0066-0067; Fig. 4*).

Regarding claim 11, Smethers discloses the system of claim 10 wherein functionality for display and use of linktags is added to an existing web browser application through a plug-in (*paras. 0066-0068; Figs. 4-5; a user can add more linktags; which will assign to another links*).

Regarding claim 14, Smethers discloses the system of claim 1 wherein the interactive links displayed, when initiated, launch applications to be executed on the computer appliance (*paras. 0069-0074; Figs. 6-7*).

Regarding claim 15, Smethers discloses the system of claim 1 wherein the interactive links displayed, when initiated, initiate navigation to a destination defined in a universal resource locator (*paras. 0009-0012*).

Claims 16, 18-26, and 29-30 are similar in scope to claims 1, 3-11, and 14-15 and are therefore rejected under similar rationale.

Claims 31, 33-41, and 44-45 are similar in scope to claims 16, 18-26, and 29-30 and are therefore rejected under similar rationale.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

11. **Claims 2, 17, and 32 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Smethers (US 20030055870) in view of Hirayama (US 20020035613).

Regarding claim 2, Smethers teaches all limitations as recited in claim 1, but does not explicitly disclose the step of wherein the user input is vocal.

However, Hirayama teaches wherein the user input is vocal (*paras. 0069-0073; Fig. 2, microphone 15 and speaker 16 are known as the user input by voice*).

Therefore, it would have been obvious to an artisan at the time invention was made to combine the teaching of Hirayama with the system of Smethers in order to provide user with a means to increase significant for using the voice control to upload link of information to computer appliance.

Claims 17 and 32 are individually similar in scope to claim 2, and are therefore rejected under similar rationale.

12. Claims 12, 27-28, and 42-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smethers (US 20030055870) in view of Hennings et al. (US 6763496).

Regarding claim 12, Smethers teaches all limitations as recited in claim 1, but does not disclose the step of wherein functionality for display or use of linktags is provided through JavaScript code.

However, Hennings teaches the system of wherein functionality for display or use of linktags is provided through JavaScript code (*col. 3, lines 6-30; col. 8, lines 14-31*).

Therefore, it would have been obvious to an artisan at the time invention was made to combine the teachings of Hennings with the system of Smethers in order to provide users with a means for promoting contextual information associated with a linked document to a displaying page.

Regarding claim 13, Smethers further teaches the system of wherein HTML layering is used in combination with JavaScript to provide linktags (*para. 0067; Fig. 4, the screen shot 400*).

Claims 27-28 are similar in scope to claims 12-13, and are therefore rejected under similar rationale.

Claims 42-43 are similar in scope to claims 12-13, and are therefore rejected under similar rationale.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LINH K. PHAM whose telephone number is (571)270-3230. The examiner can normally be reached on Monday to Thursday from 7:30AM to 5:00PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

December 8, 2007

/L. K. P./

Examiner, Art Unit 2174

/David A Wiley/

Supervisory Patent Examiner, Art Unit 2174